



General Assembly

January Session, 2009

Amendment

LCO No. 7957

HB0633907957HDO

Offered by:

REP. DILLON, 92nd Dist.

REP. LAWLOR, 99th Dist.

REP. O'NEILL, 69th Dist.

SEN. MCDONALD, 27th Dist.

SEN. KISSEL, 7th Dist.

To: Subst. House Bill No. 6339

File No. 738

Cal. No. 469

***"AN ACT CONCERNING THE FORFEITURE OF PROPERTY
OBTAINED BY SECURITIES FRAUD."***

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 53-394 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2009*):

6 (a) "Racketeering activity" means to commit, to attempt to commit,
7 to conspire to commit, or to intentionally aid, solicit, coerce or
8 intimidate another person to commit any crime which, at the time of its
9 commission, was a felony chargeable by indictment or information
10 under the following provisions of the general statutes then applicable:
11 (1) Sections 53-278a to 53-278f, inclusive, relating to gambling activity;

12 (2) chapter 949a, relating to extortionate credit transactions; (3) chapter
 13 952, part IV, relating to homicide; (4) chapter 952, part V, relating to
 14 assault, except assault with a motor vehicle as defined in section 53a-
 15 60d; (5) sections 53a-85 to 53a-88, inclusive, relating to prostitution; (6)
 16 chapter 952, part VII, relating to kidnapping; (7) chapter 952, part VIII,
 17 relating to burglary, arson and related offenses; (8) chapter 952, part
 18 IX, relating to larceny, robbery and related offenses; (9) chapter 952,
 19 part X, relating to forgery and related offenses; (10) chapter 952, part
 20 XI, relating to bribery and related offenses; (11) chapter 952, part XX,
 21 relating to obscenity and related offenses; (12) chapter 952, part XIX,
 22 relating to coercion; (13) sections 53-202, 53-206, 53a-211 and 53a-212,
 23 relating to weapons and firearms; (14) section 53-80a, relating to the
 24 manufacture of bombs; (15) sections 36b-2 to [36b-33] 36b-34, inclusive,
 25 relating to securities fraud and related offenses; (16) sections 21a-277,
 26 21a-278 and 21a-279, relating to drugs; (17) section 22a-131a, relating to
 27 hazardous waste; (18) chapter 952, part XXIII, relating to money
 28 laundering; or (19) section 53a-192a, relating to trafficking in persons.

29 Sec. 2. (*Effective from passage*) The Chief State's Attorney, in
 30 consultation with the Attorney General, the Chief Court Administrator
 31 and the Banking Commissioner, shall study the establishment of a
 32 fund consisting of money, and the proceeds of the sale of property,
 33 forfeited to the state under chapter 949c of the general statutes as a
 34 result of securities fraud and related offenses committed in violation of
 35 sections 36b-2 to 36b-34, inclusive, of the general statutes, and the most
 36 appropriate manner of administering such fund so as to provide
 37 restitution to victims of such violations. Not later than March 31, 2010,
 38 the Chief State's Attorney shall report his findings and
 39 recommendations to the joint standing committee of the General
 40 Assembly on judiciary in accordance with the provisions of section 11-
 41 4a of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	53-394(a)

Sec. 2	<i>from passage</i>	New section
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